

**KENTUCKY BOARD OF LICENSURE FOR MASSAGE THERAPY
REGULAR MEETING
MINUTES
December 11, 2006**

A regular meeting of the Kentucky Board of Licensure for Massage Therapy was held at the Division of Occupations and Professions, Frankfort, KY on December 11, 2006.

MEMBERS PRESENT

Roger D. Russell, Chair
Theresa M. Crisler
Carmen S. Fowler
Sharon K. Wood
Denise M. Logsdon
Kimberly Stacy

OCCUPATIONS & PROFESSIONS STAFF

Dana Hockensmith, Board Administrator
Claude Wagner, Division Director
Wendy Satterly

EXCUSED

Lisa Bozarth

OTHERS PRESENT

Marilyn Gossett, Sun Touch
Megan Lavery, AMTA
Pam Jenkins, AMTA

Call to Order

Chair, Mr. Russell called the meeting to order at 9:47 A.M.

Approval of Minutes

Minutes of the November 13, 2006 meeting were presented for the Board's review. A motion was made by Ms. Crisler to approve the minutes, as amended. Motion seconded by Ms. Fowler, carried.

Approval of Financial Statement

The Board reviewed the financial statement indicating a balance of \$160,520.32 as of October 31, 2006. A motion was made by Ms. Wood to accept the financial statement. Motion seconded by Ms. Fowler, carried.

Director's Report

Claude Wagner, Director, reported that Ms. Bozarth has been in contact with Cincinnati School of Medical Massage to get them to renew with the Proprietary Education Board due to some of their students needing the school to be in good standing at the time these students make application for licensure.

Chair Report

Based upon a recommendation made to Mr. Wagner by an official with the Division of Administrative Hearings, Roger Russell, Chair, suggested that, since there will be no allotment increase for a second investigator, and the Board is to be fair, impartial, and objective in all of its decision making, it should consider cancellation of its contract with current LMT investigator. This, he stated, should aid in preventing possible conflicts of interest or the appearance of impropriety or partiality due to the close family relationship of the current LMT inspector to one of our Board members.

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Complaint Review Committee

05-06, 05-07, 05-08: Claude Wagner, Director, will speak with Attorney General's office and will report back at the next meeting as to the status. If no progress has been made, the Board shall consider requesting the return of all records submitted to that office and assign to another investigator.

#06-06: Ms. Crisler made a motion to dismiss due to no violation of law, insufficient evidence. Motion seconded by Ms. Stacy, carried.

#06-07: Assign to investigator and investigator report back. Upon findings, a cease and desist order may be issued.

#06-08: Ms. Crisler made a motion to dismiss due to no violation of law, insufficient evidence. Motion seconded by Ms. Logsdon, carried.

#06-09: Pending, awaiting respondent response.

#06-10: Ms. Stacey made a motion for Ms. Crisler to contact business and find out names of three individuals who are suspected of working as massage therapists without license. If further information is provided to verify, cease and desist letters will be sent. Motion seconded by Ms. Logsdon, carried.

#05-10: Ms. Logsdon made a motion for Ms. Lalonde, Board Attorney, to draft a letter to respondent acknowledging this person's license has since expired and this person shall not practice massage therapy and not display certificate as it is not valid for practice in Kentucky. This motion includes dismissal of complaint without prejudice, however the case may be reopened if respondent doesn't follow procedure. Motion seconded by Ms. Stacey, carried.

Education Committee

Ms. Crisler made a motion to approve CEU provider application for Myokinesthetic System class and home study courses. Motion seconded by Ms. Logsdon, carried.

Ms. Crisler made a motion to approve Program of Instruction application for Spencerian College in Louisville. Motion seconded by Ms. Wood, Ms. Logsdon recused herself, motion carried.

Application Review Committee

KK File: Applicant needs to have school send letter to Board showing where additional 15 hours of Pathology to meet the requirement that is included in the law.

A motion was made by Ms. Logsdon to approve 16 new applicants as reviewed. Motion seconded by Ms. Fowler, carried.

Old Business

Ms. Logsdon made a motion to go into Executive Session per KRS 61.8101(1)(f). Ms. Wood recused herself and left the room. Motion seconded by Ms. Crisler, carried.

Ms. Crisler made a motion to end Executive session per KRS 61.8101(1)(f). Motion seconded by Ms. Logsdon, carried.

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Ms. Crisler made a motion to accept the bid as investigator and employ Mr. Clemons by contract. Motion seconded by Ms. Logsdon, carried.

Ms. Logsdon made a motion to cancel current contract with investigator upon 30 days notice given and current investigations completed. Motion seconded by Ms. Stacey, carried.

Roger Russell, Chair, expressed appreciation to Ms. Gossett for a job well done with her investigations.

Ms. Logsdon reported the adhoc Committee came up with a Supervision Survey for schools responses.

Ms. Stacey made a motion to approve the Supervision Survey and for Ms. Hockensmith to send them to the MT schools in Kentucky and contiguous states where MT schools are currently established. Motion seconded by Ms. Crisler, carried.

Claude Wagner, Director, provided information regarding inspector training through C.L.E.A.R.

Ms. Crisler made a motion for Claude Wagner, Director, to speak with the new investigator to suggest he attend the training and how the expenses shall be paid. Motion seconded by Ms. Stacy, carried.

Ms. Logsdon gave an update on the revised regulations.

Ms. Logsdon reported on her trip to National Certification Board for Therapeutic Massage and Bodywork (NCBTMB) Conference. They are starting a disciplinary action database and would like the states to report disciplinary actions to them.

Ms. Crisler made a motion for the Board to share disciplinary actions with the NCBTMB. Motion seconded by Ms. Fowler, carried.

New Business

IGW Email: By consensus of the Board, this applicant must pass the National Certification Exam in order to work in Kentucky. Reciprocity cannot be established with West Virginia because their law is not at least as stringent as Kentucky's.

Approval of Travel and Per Diem

A motion was made by Ms. Crisler to approve travel and per-diem for eligible members for today's meeting as well as the Special Meeting of the Adhoc Committee that was held in Bowling Green on November 21, 2006. Motion seconded by Ms. Fowler, carried.

Schedule Next Meeting

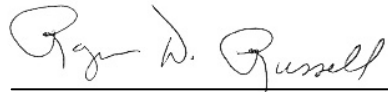
The next meeting is scheduled for January 23, 2006 at the Board office located at the Division of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky.

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Adjournment

With all business completed, Ms. Wood made a motion to adjourn the meeting, seconded by Ms. Logsdon, carried. The meeting adjourned at 3:32 P.M.

Approved



Board Chair